

Brief Exhibit

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Office of Law Enforcement and Security
Office of Professional Responsibility
3833 S. Development Avenue
Boise, Idaho 83705



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In Reply Refer To:
9260 (WO120) I

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Steve,

I wanted to provide a follow up to my conversation with AUSA Dan Schiess from earlier today regarding a DOI OIG case OI-HQ-09-0718-R, "Mojave Desert Tortoise". A case that was referred to the Bureau of Land Management (BLM) Internal Affairs (IA) for investigation in 2009. I wanted to clear up some of the confusion as to why the OIG could not locate the case file when your office contacted them.

Historically, the Department of Interior, (DOI), Office of the Inspector General (OIG), created a hotline complaint intake system that receives complaints on a variety of issues either telephonically or by email from all sources –both private citizens and government employees alike. The DOI, OIG, will monitor those phone calls and email complaints and assign an OIG number to the complaint referral such as OI-HQ-09-0718-R. On or about October 5, 2009, they received a complaint from an anonymous person regarding the Mojave Desert Tortoise alleging that for several years the BLM has had a chronic pattern of not taking effective actions to stop trespass livestock grazing, especially in the critical habitat of the endangered desert tortoise. As I mentioned the OIG assigns a case number to all complaints received, and determines if they are going to investigate the matter or refer it out to one of the "Bureau(s) in the Department of Interior" to handle. In this case, they assigned the tracking number of OI-HQ-09-0718-R to the BLM as a mandatory response required referral. The OIG did not conduct any investigation into the matter, but rather requested the BLM Internal Affairs office to handle the complaint referral.

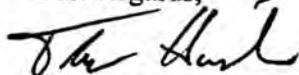
The BLM Internal Affairs office also logs in the complaint, and generates a BLM case number. In this instance, BLM IA assigned a new case number 10-893-00073, but it is also OI-HQ-09-0718-R. I assigned case 10-893-00073 to BLM Special Agent (SA) Bart Fitzgerald for further investigation. Upon conclusion of SA Fitzgerald's report of investigation, BLM issued correspondence back to the OIG to reflect our findings, but BLM Internal Affairs retained the case file because my office did the investigation.

My belief is that when the OIG referred the matter to our BLM Internal Affairs office, BLM conducted the investigation and sent closing documentation to the OIG with our findings. I speculate that a search of their system probably couldn't locate a case file because they didn't conduct any investigation, but assigned a number to the complaint. This happens quite frequently that the OIG logs in a complaint, assigns a case number and then refers it out to a Bureau to investigate. My office tracks cases using both the OIG case referral number and the BLM Internal Affairs case number, so I was able to locate the archived case file from 2009-11. I have provided your office with a copy of the archived case file. The OIG should have been able to locate the memos and the accountability form we sent them back in 2011, but I don't believe they would have received the case file since we retain that at BLM.

I hope this clarifies some of the confusion surrounding your earlier requests to the OIG for the case file. In the future, please feel free to reach out to my office for any assistance we can provide you.

Please do not hesitate to contact me with any additional questions or concerns.

Best Regards,



Thomas Huegerich
Chief, Office of Professional Responsibility
[Redacted]